

Calendar No. 173

106TH CONGRESS
1ST SESSION

S. 762

[Report No. 106-91]

To direct the Secretary of the Interior to conduct a feasibility study on the inclusion of the Miami Circle in Biscayne National Park.

IN THE SENATE OF THE UNITED STATES

MARCH 25, 1999

Mr. GRAHAM introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

JUNE 24, 1999

Reported by Mr. MURKOWSKI, with an amendment and an amendment to the title

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To direct the Secretary of the Interior to conduct a feasibility study on the inclusion of the Miami Circle in Biscayne National Park.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS AND PURPOSES.**

4 ~~(a) FINDINGS.—Congress finds that—~~

1 (1) the Tequesta Indians were one of the ear-
2 liest groups to establish permanent villages in south-
3 east Florida;

4 (2) the Tequestas had one of only two North
5 American civilizations that thrived and developed
6 into a complex social chiefdom without an agricul-
7 tural base;

8 (3) the Tequesta sites that remain preserved
9 today are rare;

10 (4) the discovery of the Miami Circle, occupied
11 by the Tequesta approximately 2,000 years ago, pre-
12 sents a valuable new opportunity to learn more
13 about the Tequesta culture;

14 (5) Biscayne National Park in Homestead,
15 Florida, contains and protects several prehistoric
16 Tequesta sites; and

17 (6) as a valuable archaeological resource and
18 the only Tequesta site of its kind known to exist in
19 Florida, the Miami Circle should be preserved and
20 protected as part of the Park.

21 (b) PURPOSE.—The purpose of this Act is to direct
22 the Secretary to determine the feasibility of including the
23 Miami Circle in the Biscayne National Park.

24 **SEC. 2. DEFINITIONS.**

25 In this Act:

1 (1) MIAMI CIRCLE.—The term “Miami Circle”
2 means the property in Miami-Dade County of the
3 State of Florida consisting of the three parcels de-
4 scribed in Exhibit A in the appendix to the summons
5 to show cause and notice of eminent domain pro-
6 ceedings, filed February 18, 1999, in Miami-Dade
7 County v. Brickell Point, Ltd., in the circuit court
8 of the 11th judicial circuit of Florida in and for
9 Miami-Dade County.

10 (2) PARK.—The term “Park” means Biscayne
11 National Park in the southern part of the State of
12 Florida.

13 (3) SECRETARY.—The term “Secretary” means
14 the Secretary of the Interior, acting through the Di-
15 rector of the National Park Service.

16 **SEC. 3. FEASIBILITY STUDY.**

17 (a) IN GENERAL.—Not later than one year and 180
18 days after the date of enactment of this Act, the Secretary
19 shall conduct a study to determine the feasibility of includ-
20 ing the Miami Circle in the Park.

21 (b) COMPONENTS.—The study shall include the anal-
22 ysis and recommendations of the Secretary with respect
23 to—

1 (1) which, if any, particular areas of or sur-
 2 rounding the Miami Circle should be included in the
 3 Park;

4 (2) whether any additional staff, facilities, or
 5 other resources would be necessary to administer the
 6 Miami Circle as a unit of the Park; and

7 (3) any impact on the local area that would re-
 8 sult from the inclusion of Miami Circle in the Park.

9 (c) REPORT.—Not later than 30 days after comple-
 10 tion of the feasibility study, the Secretary shall submit a
 11 report describing the findings and recommendations of the
 12 study to—

13 (1) the Committee on Energy and Natural Re-
 14 sources of the Senate; and

15 (2) the Committee on Resources of the House
 16 of Representatives.

17 (d) AUTHORIZATION OF APPROPRIATIONS.—There
 18 are authorized to be appropriated such sums as are nec-
 19 essary to carry out this Act.

20 **SECTION 1. FINDINGS AND PURPOSES.**

21 (a) FINDINGS.—Congress finds that—

22 (1) the Tequesta Indians were one of the earliest
 23 groups to establish permanent villages in southeast
 24 Florida;

1 (2) *the Tequestas had one of only two North*
2 *American civilizations that thrived and developed*
3 *into a complex social chiefdom without an agricul-*
4 *tural base;*

5 (3) *the Tequesta sites that remain preserved*
6 *today are rare;*

7 (4) *the discovery of the Miami Circle, occupied*
8 *by the Tequesta approximately 2,000 years ago, pre-*
9 *sents a valuable new opportunity to learn more about*
10 *the Tequesta culture; and*

11 (5) *Biscayne National Park also contains and*
12 *protects several prehistoric Tequesta sites.*

13 (b) *PURPOSE.—The purpose of this Act is to direct the*
14 *Secretary to conduct a special resource study to determine*
15 *the national significance of the Miami Circle site as well*
16 *as the suitability and feasibility of its inclusion in the Na-*
17 *tional Park System as part of Biscayne National Park.*

18 **SEC. 2. DEFINITIONS.**

19 *In this Act:*

20 (1) *MIAMI CIRCLE.—The term “Miami Circle”*
21 *means the property in Miami-Dade County of the*
22 *State of Florida consisting of the three parcels de-*
23 *scribed in Exhibit A in the appendix to the summons*
24 *to show cause and notice of eminent domain pro-*
25 *ceedings, filed February 18, 1999, in Miami-Dade*

1 *County v. Brickell Point, Ltd., in the circuit court of*
2 *the 11th judicial circuit of Florida in and for Miami-*
3 *Dade County.*

4 (2) *PARK.*—*The term “Park” means Biscayne*
5 *National Park in the State of Florida.*

6 (3) *SECRETARY.*—*The term “Secretary” means*
7 *the Secretary of the Interior, acting through the Di-*
8 *rector of the National Park Service.*

9 **SEC. 3. SPECIAL RESOURCE STUDY.**

10 (a) *IN GENERAL.*—*Not later than one year after the*
11 *date funds are made available, the Secretary shall conduct*
12 *a special resource study as described in subsection (b). In*
13 *conducting the study, the Secretary shall consult with the*
14 *appropriate American Indian tribes and other interested*
15 *groups and organizations.*

16 (b) *COMPONENTS.*—*In addition to a determination of*
17 *national significance, feasibility, and suitability, the spe-*
18 *cial resource study shall include the analysis and rec-*
19 *ommendations of the Secretary with respect to—*

20 (1) *which, if any, particular areas of or sur-*
21 *rounding the Miami Circle should be included in the*
22 *Park;*

23 (2) *whether any additional staff, facilities, or*
24 *other resources would be necessary to administer the*
25 *Miami Circle as a unit of the Park; and*

1 (3) *any impact on the local area that would re-*
2 *sult from the inclusion of Miami Circle in the Park.*

3 (c) *REPORT.*—*Not later than 30 days after completion*
4 *of the study, the Secretary shall submit a report describing*
5 *the findings and recommendations of the study to the Com-*
6 *mittee on Energy and Natural Resources of the Senate and*
7 *the Committee on Resources of the United States House of*
8 *Representatives.*

9 (d) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
10 *authorized to be appropriated such sums as are necessary*
11 *to carry out this Act.*

Amend the title so as to read: “A bill to direct the Secretary of the Interior to conduct a special resource study to determine the national significance of the Miami Circle site in the State of Florida as well as the suitability and feasibility of its inclusion in the National Park System as part of Biscayne National Park, and for other purposes.”.

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A BILL

To direct the Secretary of the Interior to conduct a feasibility study on the inclusion of the Miami Circle in Biscayne National Park.

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Reported with an amendment and an amendment to the title